

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

ROY LEE WHITE, JR.,)
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Petitioner,)
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vs.) No. CIV-20-449-C
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SCOTT CROW, Director,)
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Respondent.)

ORDER ADOPTING REPORT AND RECOMMENDATION

This action for habeas corpus relief brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Shon T. Erwin, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Erwin entered a Report and Recommendation on October 15, 2020, to which Petitioner has timely objected. The Court therefore considers the matter de novo.

The facts and law are accurately set out in Judge Erwin's Report and Recommendation and there is no purpose to be served in repeating them yet again. In his Objection, Petitioner argues at length his version of the facts and argues he is entitled to relief. To overcome the deference given to the Oklahoma Court of Criminal Appeals, as required by the AEDPA, he simply concludes it was wrong. Likewise wrong were the police, the prosecutor, the jury, and Judge Erwin in his Report Recommendation. Petitioner's bald allegations do not make it so. To the contrary, the findings of fact and law set out in the Report and Recommendation are accurate and fair and denial of the relief requested is the only appropriate outcome.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, denies this petition for habeas corpus relief. A judgment will enter accordingly.

IT IS SO ORDERED this 11th day of December, 2020.



ROBIN J. CAUTHRON
United States District Judge